THE WASHINGTON TRAGEDY.

Trial of Daniel E. Sickles for Killing Philip Barton Key.

Singular Interview Between a Judge and a Juror.

THE EXPLANATIONS IN COURT.

Statement of the Case by the District Attorney.

INTERSELY INTERESTING EVIDENCE.

The Scene of the Homicide Graphically Described.

Testimeny of P. V. R. Wyck, Edward Dela Reld, Thomas Dudrow, Richard N. Downer, Cyrus II. McCormick, Thomas E. Hartin, Francis Doyle, Abel Upshur and E. H. Tidball.

PERSONAL SKETCHES OF THE COURT AND COUNSEL,

SPECIAL REPORT TO THE HERALD.

WASHINGTON, April 7, 1859. s, the jury was empannelled and the trial began.
moment of solemn interest when the prisoner was

The Prosecuting Attorney then rose to open the case ened to with attention. He vindicated the law

eibility he had assumed, but since then he had re-ed, and was ready to go on with his duty. This incies the stirring effect this case has awakened

Reed, who admitted he knew Mr. Key. Mr. Brady cross

prosecution to day was very conflicting, especially as to the

ned to direct his inquiries to the point of Mr. examination by Mr. Brady, who took the lead

Mr. Sickies, whom he has always held in great affection.

From the first all his sympathies have been with the un-

e of the talesmen manifested a strong prejudice against Sichles, and after retiring from the stand be came aclly round to the place where Mr. Bagioli was sit ing. Yielding to his impulses, he got up and thus ad-"I heard you just now," he said, "say something

sh of the prisoner; but let me ask you if you had los our wife, or had your daughter sacrificed, would you

srent, whose voice was choked with emotion. man was much affected by this unexpe ppeal, which brought the case more vividly home to him han ever before, and he expressed his sorrow at what he said, whilst admitting that with the same provocation might have done likewise. This touching scene was

observed by the person who relates it.

s evidence to day brought out all the tragic details
c homicide, and it seemed to affect Mr. Sickles conerably. He became very pale, whilst he frequently ted his head on his hand. It must, indeed, have been rowing to his feelings. But what is this to what rehis wife's criminality is told.

itnesses to day swore they did not see him during the

THE GENERAL NEWSPAPER REPORT. WASHINGTON, April 7, 1859.

trict Attorney Ould made a good impression in I ening address to day. His opponents think, however, at he took too much pains in dressing up the subject, d that his duty would have been better performed a simple statement of the facts of the killing, out having recourse to any of the ornaments of ce. He seemed to anticipate the theory of the , and strove to impress on the jury that there

set up was legal, they should require it to be le-proven.

Outling a fine, square-built, athletic man, of some years of age, with eyes small and gray, though out the expression of keenness usually attributed such optics. He has a broad forehead, straight a hair, and a rather pleasant expression of counted. Indeed, he looks more like a friend to be honorably ed than like a lawyer to be depended upon. His ague, Mr. Carlule, possesses more of the qualities ally associated with the idea of a legal practitioner, and resticasly active, nothing seems to escape his sition, and the defence seem to realize that they have e siliculity to expect from him than from the govern-tyroscoulor. His voice, like his person, is thin and, but manner and style are nevertheless pleasant.

Mr. Brady, of New York, rests most of the labor of affence. Skudiously points to Judge, jury, counsel

trial. No compunctious thought of that visits his mind; but when he thinks upon his blighted home, and the ruin that has been wrought by the villainy of a false asserts her supremacy.

The Washington papers have published a statement that

Mrs. Sickles is now in this city. There is no truth what-ever in the statement; the lady's father contradic's it in

ing between him and Mr. Sickles have been tampered and others not reaching their destination.

After some delay the names of the eleven jurors already

The Judge-After the jurors were dismissed yesterday "could say a word to me." I told him "no, not about this case." However, he went on to say, "I answered it right to memtion this publicly, in case counsel may think proper to move about it. So little impression did

ressed with the responsibility that restel on me and felt

can say to the Court that I feel perfectly satisfied in my Judge-Very well. I am glad to hear it. It was the

Juror-I am very glad I have this privilege of making

Alpheus S. Wright, the twelfth juror, was then sworn and took his seat in the jury box, when the twelve jurors

were called and answered. Clerk to the prisoner-Stand up, Daniel E. Sickles. Mr. Sickles stood up in the box

Clerk-Daniel E. Sickles, lock on the jurors while the

lictment is being read.

The indictment was read, as follows:—

The indictment was read, as follows:—

District of Columbia, county of Washington, to self:—The priors of the United States for the county acressed, upon their eachs, present that Daniel & Steties, tate of the county of Washington aforesaid, gentleman, not having the four of God of the cevil, or the twenty seventh day of February, in the year of our Lord eighteen hunared and fity-nine, with force and arms at the county aforesaid, in and upon the body of one thilly hardon key, in the peace of our and of the said United States, the and there being, followingly, wilfully, and of his mailer aforehought, did make an assault; and that the said lariel & Stekles a creating pited of the vanier of two dillars then and there charged with gunpowers, and one leaden bullete, which said priso he, the said cased by the control of the said of the said with the said pited in the had and beld, then and there charged with gunpowers, and one leaden bullets, which said pited for the said as less fisches described and shot off to against, and upon the said fall picklarics, and head of the the said and shot off as aforesaid, by the said Daviel & Stekles described and shot off as aforesaid, then and there for thought, did strike peacetrate, and wound fim, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, an and upon the left side of him, the said Philip Barton Key, and there lestantly died, and so the juror a forcesaid, upon the left side of him, the said Philip Barton Key, and there lestantly died, and so the juror a forcesaid, upon the oath aforesaid, the nad there lestantly died, and so the

raigned, and on his arraignment has pleaded not guilty and has put himself upon his country. That country you epresent, and this indictment you are to try.

District Attorney Guid epened the case for the prosecu

ton by making an eloquent and effective statement of the ircumstances of the affair, amid the breathless attenon of the Judge, jurors and audience. He said:-STATEMENT OF THE CASE FOR THE PROSECUTION.

May it please your Honor and Gentlemen of the cury.—The indictment just read to you charges Daniel E. Sickles, the prisoner at the bar, with the wiful murder of Phuip Barton Key. I shall relate to you, as briefly as I can, the chief incidents connected with this trageoy, so far as the evidence will disclose. The parties are doubtless well known to you already, as cast by reputation, one being a representative in the Congress of the United States from the great commercia netropolis of the Union, and the other having long and nonorably filled the post of public prosecutor in this District. Perhaps some of you have seen how he discharged the duties which have fallen to my lot. The place wher the crime, as charged in the indictment, was committed was in the city of Washington, the time the 27th of Feb ruary last. It was the Sabbath—a day which for mor-than eighteen bundred years has been set apart in commemoration of the Divine mission which brought in the soft gush of that Sabbath sunlight, at an hour between the morning and evening Christian sacrifice— at the time aimest when the sound of the church bell was lingering in the air—the deceased, all unconscious of the tremendous woe which then stood suspended over his house, met the prisoner at the bar in a public thoroughfare of this city. He must have seen, from the attitude and movements, and other evidences of delibe-rage intent which rounded into completences the scene of the hour, that the prisoner at the bar contemplated some bloody deed. Unarmed and defenceless as deceased some bloody deed. Unarmed and defenceless as deceased was, he used the poor and feeble means in his power to save his life. How ineffectual they were, even in the delaying of the terrible fate, the evidence in the case will show. The prisoner at the bar had come to the carnival of blood fully prepared. He was a walking magazine. He was not only provided with a number of firearms, but had taken eare to supply himself with different varieties, each one possessed of us peculiar excellence for the morrerons work. He is a nice and close calculator, who, in the contingency of an antiaguted collision, might call to bit aid both a Detringer and a re-

on both sides made before any of the evidence was pre-sented, but he presumed the counsel for the defence would prefer to reserve their opening till the case for the prose-

he Court, the wish of counsel was always consulted by

THE TESTIMONY FOR THE PROSECUTION.

The following persons answered and were severally sworn, such being the practice here:-

Francia Doyle, Thomas E. Marun, R. V. R. Van Wycke, Joseph Dudrow, Abei Upshur, Edward M. Tidball, Cyrus M'Cormick, John M. Sceley, Jr., Jonah D. Hoover, Robert Dillon, Thomas Woodward, Reuben Worthington,

Henry Hepburn, Edward Delafield.
Some delay occurred, which the District Atterney explained by saying he was waiting for a witness to examine first, and who was not in court. He had sent for him. This witness was James H. Reed. He soon afterwards into court, was sworn and took the stand. EVIDENCE OF JAMES II. REED.

Q. Be good enough to state all the circumstances sected with the killing that you saw.

A. I was passing on the Sabbath of the 27th of February up the street known as part of Pennsylvania avenue, rur

ence at loc-owing nim up, and they went into the interior of Madis-on place; that was after the first scapping and the second attempt to shoot; when they reacted the middle of the street they were shout ten leet apart, and there a second firing took place; just be ow that I was the man who was shoot at sitempt to throw something, which appearently struck the other; the throwing and second firing of the pistol were simultaneous; the article went slowly and feel at the feet of the man who fired the pistol; I do not know what it was; as soon as the pistol; I do not know what it was; as soon as the pistol; I do not know what it was; as soon as the pistol was fired the man got himself up this way, (describing him with both hands pressed against his ato mach.) and said something like 'Kill mee,' The ran over to the pavement; cannot say whether he touched the fence or not when he came round; the man who fired the pistol came up in front of the man who was down; he turned up a little on his right elbow; heard him exclaim once or twice, 'Hon't shoot me,' "Then't shoot me,' what other words he said I do not know; the pistol was fired three times; the man who held the pistol was fired three times; the man who held the pistol was fired three times; the man who held the pistol was fired, the snapped the pistol a second time; that makes six times that the man attempted to shoot; there were six attempts to shoot; witness was standing on the south pavements.

follow?

A.—Sconer than the first one did after the shot; about three or four seconds.

Q.—Did you maintain your position from the beginning to the end of the occurrence?

A.—I did not move three feet from the place where I first stood; was on the south side of the street running past the Fresident's house, and about three or four feet from the carb stone; was about thirty-five paces from the parties when the chilleculty first began; Mr. Key fell acout twenty-live or thirty feet from the lamp post, at the corner. An these matters happened in this county of Washington.

ington.

The witness was here cross examined by Mr. Brady.

Witness—I am obgaged in boving and selling wood a

ington.

In witness was here cross examined by Mr. Brady.

Witness—I am engaged in beying and selling wood and coal; had seen Mr. Key, but did not know eitner him or Mr. Sickles at the time of the difficulty; they were standing in such a position that I could not recognize either; he (witness) did not see any person whom he knew by sight or name; he saw a gentieman on the opposite side of Madicon place, the park side; he was going porthward; do not know who be was; saw another man going down Pennsylvania avence; he was left of Dr. Gunnell's residence; did not see his face; saw another man going down from the Club House; they were apparently coming from the church; these coming down the street might have seen the third shot fired; the man whom he first saw could not see the parties without turning round, the man was going castward down that the property of the country of the coun

so without my observing it; feet certain of that.

Q.—You did not see Mr. Key take Mr. Sickles by the neck?

A.—No, sir.

Q.—Nor by the coat nor hand?

A.—No.

A.—No.
Q.—You saw nothing like a tussle?
A.—No, sir.

Q—You saw nothing like a tussle?

A.—No, sir.
Q—And there were three shots fired and three snappings of the pistol?

A.—Yes, sir.
Mr. Brady—State the position in which Mr. Key was when throwing something at Mr. Sickles.

Winess—He was west about twelve or fifteen feet of the second, three feet from the pave, and perhaps a little north; Mr. Sickles was then eight or twelve feet west of him, he and Mr. Key facing each other.

Q—Was there any shots fired while they were not facing each other?

A.—No, sir, they were facing each other on each occasion; at first they were not exactly opposite, but they saw each other; the article thrown by Mr. Key struck the person of Mr. Sickles; it struck either his arm or body; the throw and shot were simulaneous; they were eight or the feet apart; could not decide what that article was; did not see anything on the street afterwards that had dropped from either party; the first parties who came near Mr. Key were those who took him up and carried him to the Cub House do not believe he heard any of these speak of Mr. Sickles.

Q—After the last shot, what did Mr. Sickles do?

A.—He turned round and went up the street, north, Q—Bid you think at any time that that last shot took effect?

Winess.—Yes, sir, I do; I judge it struck him within this of the body (tracing the lower stomach): there were

Q—Jud you think at any time that that last shot took effect?
Witness.—Yes, sir, I do; I judge it struck him within this of the body (tracing the lower stomach); there were two rangings of a pistol after that.

Q—How lar was Mr. Sickies from Mr. Key on the occasion of the last two snappings?

Witness.—Measured from Mr. Key's feet, he was four or five leet, and from his head about six feet.

Q.—What was his nearest point at any time of mapping or firing?

Witness.—I judge, at the third time he fired the pistol, that he was two or two and a half feet distant from Mr. Key; at the snapping he was further off.

Q.—Ind Mr. Sickies get nearer to Mr. Key at any time during the whole affair?

Witness.—Not more than he was at the last free I justee.

during the whole smarr. Where No. — Not more than he was at the last dre; I judge he was about three or four feet from him; this affair occupied sitogether, from the time that the shot was fired to the time of the last snapping, one and a haif or two minus.

back, or on his true!

A -- On his cide and cibers, his face towards Mr. Sickles.

first shot; did not hear what was said between the par-ties; he did not observe the character of the pastol, nor did he know Mr. Butterworth at the scene; after the first shot both Mr. Sickles and Mr. Key were in the middle of the street; the first shot had been fired before he saw

be did so Mr. Sickles raised a pistol, and there was a scuffle for a minute or two; Mr. Sickles ran to the flag-stone; Mr. Key followed him up, but did not suc-ceed in catching hold of him; he then turned ceed in catching hold of him; he then turned on Mr. Key, who retreated backward for some time; Mr. Sickles fired, but whether Mr. Key was struck, he (winess) did not know; Mr. Key craid "Murder," Mr. Key then retreated to the tree, Mr. Sickles following him up and firing; Mr. Key fell on the passes following him up and firing; Mr. Key fell on the passes but the cap snapped; only three shots were fired to my knowledge; during the proceedings heard Mr. Sickles use the wores 'my bed,' but could not near the remainder of the sectence; Mr. Key was then lying on the pavenient; others ran up, but they were all strangers to him (witness) did not see anybody that he was acquainted with; could not say whether Mr. Key took hold of Mr. Sickles above or below the waist; it was after the pistol was fired at Mr. Key's head that Mr. Sickles said 'my bed;' saw Mr. Key throw semething at Mr. Sickles; all the shots were fired before Mr. Key foll

Richard N. Downer examined by the District After of Mr. Key's death; was standing at the corner of Fif teenth street and New York avenue, when I heard the report of a pistol; saw some persons stop on the avenue opposite Sixteenth street; ran up and heard the report of another pistol; before I got to Mr. Maynard's house there opposite Sixteena street; ran up and neard the report of another pistol; before I got to Mr. Maynard's house there was another report; I was about turning the corner; I heard a snap and thought I was close enough to it, and did not go any closer (aughter); I dodged back a fittle; I went back after the shooting stopped (laughter) and saw Mr. Key lying on the pavement; I knew him by sight and reputation; I saw aperson whom I understood to be Mr. Sickles; the prisoner at the bar is that gentleman; Mr. Key was lying on his back; Mr. Sickles was fourteen or fifteen feet north of him; I heard him make a remark, which seemed to me, "is the damined scoundrel" or the "damined rascal dead?" I saw a pistol in Mr. Sickles was fourteen, twenty five minutes after the occurrence; it was a Derringer pistol; took it up and fooked at it, it was not leaded; I looked at it in the Club room; there was an ort leaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I looked at it in the Club room; there was an ort loaded; I don't be seen any ort the firm; of the best looked to the firm; the pistol to the Coroner; I did not see any or the firm; and a brick house between me and the part I]

Croes-examined by Mr. Brady—I handes use pistol to the Coroner; where it was blown out was before the Coroner's jury; the Coroner was the first person to whom I handed the pistol.

Mr. Brady said be would want that pistol identified.

The District Attorney—Certainly.

Evidence of Cyrus H. McCormick.

Cyrus H. McCormick, inventor of the reaping unachine.

Cyrus H. McCormick, inventor of the reaping machine, was next put on the stand.—Resides in the house known Pr. Maynard's house, on the corner of Pennsylvania

pistol; I arose and stepped to the window of my house and discovered two persons on the stone walk between and discovered two persons on the stone walk between Dr. Maynard's corner and the corner of the square, meving westwardly in a hurried pace—on comething of a run; I remarked that it was a street fight; I rext saw Mr. Key standing near the middle of the street—Madison place; Mr. Sickies was advancing upon him diagonally; I did not recognise the parties till after the first shot Mr. Sickies fired at Mr. Key; Mr. Key went in the direction of the large tree second from the avenue, and got to the tree, Mr. Sickies followed in that direction; when Mr. Sickies got to the tree Mr. Key tell into the gutter of the street, against the curbetone, and in that position Mr. Sickies fired at him; I am not certain whether there was a scap or not; I could hear nothing, the wholew not being up. Mr. Sickies fired at the or about the time Mr. Key tell; I think Mr. Key was down, the parties were on the stone walk wheat I first saw them; Inc.

EVIDENCE OF THOMAS E. MARTIN.

el Upshur examin sion of Mr. Key's death; had been to church; got home about half past one; walked from home to the Club House ast went out, as if to go home, but soon he rushed back

Mr. E. M. Tidball sworn—I was present on the occasion of Mr. Key's death; I was at the Club House with Mr.

I observed Mr. Key lying on the ground and Mr. Sickles standing over bim, near his head, with a piatol pointing towards his head; I was half way to him when the piatol snapped; when I came up I reached my hand over to Mr Sickles' shoulder; he stepped back and remarked instantly. "He has dishonered and defiled my bed," or "violated it," he repeated the expression; then Butterworth came up from the corner and took Mr. Sickles by the arm, and they walked off; Mr. Key was carried into the Club House.

Q.—Did you hear any expression made use of by Mr. Key?

Witness—When we got within six or eight feet of him he cried "Murder?" he never spoke after we came up; Mr. Sickles had on a brown overcoat, high paints and a hat; it was a long overcoat; noticed it as he passed me; it was a pleasant day and quite warm.

Q.—Are there any particular circumstances which impress on your mind the hour at which this occurred?

Answer—Yes, sir; I should suppose it was about two o'clock.

Q.—State the circumstances which lead you to suppose that was the bour.

Objected to and withdrawn.

Witness is satisfied that it was about two o'clock, probably a few minutes before two.

Croes examined by Mr. Brady.—Was in the habit of wearing an overcoat; think I wore one that day; did not hear Mr. Sckles make use of any other expression; he made use of it, and repeated it very rapidly; it was said it rather a loud tone of voice; I saw a pissio lying on the ground; that was after the body was taken to the house, and I was on my way for a physician; I did not stop to pick it up; I think it was single barrelied.

The District Attorney says he will close the case for the

WELCOME CONCERT TO MR. ELSTED .- Mr. Theodore Pie feld, the eminent musician, who was so providentially saved from the wreck of the Austria, having arrived home from Fayal, a welcome concert is to be given to him at the Academy of Music on Saturday. The affair is a very apprepriate testimonial to a worthy man, and will doubt less be a brilliant and enjoyable occasion.

Mrs. Bisnop's " READINGS FROM THE PORTS."-Mrs. Lau-MRS. Rishop will read a selection of poetical extracts this (Friday) evening, at eight o'clock, at Dodworth's Hall, 806 Broadway. The programme is very choice, including some of the most popular pieces of Longfellow, Herden, Jerrold, Willis, &c.

Naval Intelligence.

The United States aloop of war Saratoga, Captain Commanding, Thomas Turner, arrived at Penacols, Fla., from Havana, 24th ult., all well. The Saratoga is giving general liberty to her crew at the former place.

A general court martial convened at the Peneacol Kavy Yand on the 18sh nis, for the trial of First Licet R. C. Duvall, attached to that yard. The charges have